

REMARKS

Claims 1-4, 6-18 and 23-44 are rejected. Claims 19-22 and 42-45 are objected to. Claims 1, and 6 have been amended. New claims 46-130 have been added. Claims 1-4, 6-130 are presently pending in the application. Favorable reconsideration of the application in view of the following remarks is respectfully requested.

The basis for the amendment of claim 6 is found in claims 5 and 6 as originally filed. The basis for the amendment of claim 1 is found on pg. 22 line 18 (applied to the surface thereof) of the specification as originally filed. The basis for the addition of new claim 48 is independent claim 1 combined with dependent claim 19 as originally filed. Dependent claims 49-90, depending from claim 48, are based on claims 2-45 as originally filed. The basis for the addition of new claim 93 is independent claim 1 combined with dependent claims 6, and 9-13 as originally filed. Dependent claims 94-128, depending from claim 93, are based on claims 2-45 as originally filed. The basis for the addition of new claims 46, 47, 91, 92, 129 and 130 is found on pg. 7, lines 15-16 ("electronically conductive metal-containing particles" and "electronically conductive polymers").

Claims Allowable

The Examiner has indicated that Claims 19-22 and 42-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, as the prior art does not provide for the recited article, further including the substrate having a core that has adhered thereto at least one flange layer. New claims __-__ have been added, based on the combination of original claims 1 and 19 to provide an element as originally described with a substrate having a core that has adhered thereto at least one flange layer.

The Examiner has indicated that Claims 6-29 would be allowable if rewritten in independent form including all of the limitations of the base claim and submission of the terminal disclaimer, as the prior art does not provide for the recited article, further including the patterned coverage comprising areas of coverage and areas without coverage and the graphic design is one of at least one line, one dot, grid, character or logo and the prior art does not provide for the recited article further including a substrate comprising an opaque support and oriented laminates.

Rejection of Claims 6-8 under 35 USC § 112:

The Examiner has rejected Claims 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, as Claim 6 is rendered indefinite because it is dependent upon canceled claim 5. Claim 6 has been amended accordingly.

Rejection of Claims 1-4 and 30-41 Under 35 U.S.C. §102(e):

The Examiner has rejected Claims 1-4 and 30-41 under 35 U.S.C. 102(e) as being anticipated by Kaminsky et al., U.S. Pre Grant Publication 2004/0213957, indicating that Kaminsky discloses an article comprising a base sheet, a transparent conductive material and a transparent protective material, the article may be used in combination with imaging layers such as ink jet printed images, an electrically conductive sheet material that is patterned and transparent, that the conductive material comprises a conductive polymer that have a resistivity of less than 5000 ohm meter, that the conduits preferably comprise thermoplastic polymers such as polyolefins and polyethers, that the conduits provide precision pathways for conducting electricity from an origination point to the destination, and a synthetic overcoat of silver halide imaging layers.

Kaminsky discloses an article comprising a layer of nonconductive polymeric material comprising a plurality of integral polymer conduit channels containing a substantially transparent conductive material.

The present invention relates to an article comprising a substrate having deposited on the surface thereof at least one patterned antistatic layer of conductive material, wherein the patterned antistatic layer forms a graphic design in such a way as to produce a continuous interconnected conductive pathway.

A claim is anticipated under 102(e) only if each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art reference. Verdegaal Bros. V. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicants have amended claim 1 to clarify that the antistatic layer of the present invention is a surface-deposited antistatic layer. Paragraph [0020] of Kaminsky states that “The conductive conduits in the invention provide protection to the electrically conductive material contained in the conduits. By protecting the conductive material of the invention, scratching, abrasion, and contamination of the electrically conductive material are


greatly reduced compared to prior art conductive patterns that reside on the surface of a substrate.” In addition, Kaminsky fails to mention a patterned antistatic layer which forms a graphic design. As a result, the reference fails to anticipate the present claims and the Applicants request the Examiner to reconsider and withdraw the rejection.

Double-Patenting Rejection

The Examiner has provisionally rejected Claims 1-4, 6-18 and 23-41 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-9, 41-57, 59-61 and 66-69 of copending Application No. 10/839,935. In accordance with 37 CFR 1.321(c), enclosed is a terminal disclaimer which is believed to overcome the double patenting rejection. Reconsideration is requested.

It is believed that the foregoing is a complete response to the Office Action and that the claims are in condition for allowance. Favorable reconsideration and early passage to issue is therefore earnestly solicited.

Respectfully submitted,


Attorney for Applicant(s)
Registration No. 42,334

Lynne M. Blank/ct
Rochester, NY 14650
Telephone: 585-477-7418
Facsimile: 585-477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.